



ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION

SA16-250

SUPPLEMENTAL REPORT

CASE NAME: MIGEUL SILICEO & [REDACTED]

CLASSIFICATION: OFFICER MISCONDUCT

TYPE: TRANSCRIPT OF BODY WORN CAMERA – CORPORAL BOVA

AGENCY: FULLERTON POLICE DEPARTMENT

On July 9, 2016 at approximately 0226 hours, Fullerton Police Corporal MICHAEL BOVA activated his Body Worn Camera in the area of 100 West Amerige Avenue, Fullerton. He recorded part of the incident involving Fullerton Police Officers MIGUEL SILICEO and [REDACTED]. The following is a transcript of the video entitled 390:

RE: SILICEO & [REDACTED]

CASE # SA 16-250

SUBJECT: TRANSCRIPT - BODY WORN CAMERA - 390 Bova
MICHAEL BOVA - Corporal, Fullerton PD

PRESENT: VICTOR SERRANO

ALSO PRESENT: LUIS DIAZ

ALSO PRESENT: [REDACTED] – Police Officer, Fullerton PD

ALSO PRESENT: MIGUEL SILICEO – Police Officer, Fullerton PD

ALSO PRESENT: MICHAEL BOVA – Police Corporal, Fullerton PD

ALSO PRESENT: DAVID BECERRA – Police Corporal, Fullerton PD

ALSO PRESENT: EDWARD LEMOINE – Police Officer, Fullerton PD

DATE: 07-09-2015 02:26:16 to 02:29:18 hours

LOCATION: 100 WEST AMERIGE AVENUE, FULLERTON

Investigator: D. MELNYK #250

David F. Melnyk

Approved By:

Stan Berry

Date of Report: 08/09/2016

Date: 08/18/2016

LEGEND: ... Denotes pauses between words or phrases, incomplete sentences, Stammering, etc. (Does not indicate missing words).
 *** Denotes unintelligible conversation.
 (Sic) Denotes precisely reproduced word.

(AUDIO BEGAN 30 SECONDS AFTER VIDEO).

DIAZ: Gimme my phone.

UNK SUBJECT: *** (unintelligible) waiting for our Uber.

UNK SUBJECT: For everybody.

UNKNOWN: *** come on. (talking over each other)

UNKNOWN: *** hey ***

(UNINTELLIGIBLE NOISE)

LEMOINE: Leave. Find your car and leave.

DIAZ: We've got a Uber.

LEMOINE: You want to go to jail too?

DIAZ: *** We got Uber.

LEMOINE: Do you want to go to jail too?

DIAZ: ***Uber ***

LEMOINE: Then go park your ass on the curb and sit down.

DIAZ: Uber is going to pick us up.

LEMOINE: Park your ass on the curb. I'm not babysitting your drunk ass. Go sit down.

UNK SUBJECT: But Uber is going to pick us up right here.

LEMOINE: Sit down.

DIAZ: What about my brother?

Investigator: D. MELNYK #250

David F. Melnyk

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LEMOINE: If I see you get up and walk over there, you're going to jail. Do you understand?

DIAZ: For what, for what?

LEMOINE: Do you understand?

DIAZ: What did I do? Dude, for what? I'm not even moving.

DIAZ: Go ahead and fucking, fucking touch me? My brother did not do anything. You know what? Hey dude. That's not even fucking fair.

LEMOINE: Sit down.

DIAZ: Alright. I'm going to sit down. My brother did not do anything.

UNK SUBJECT: *** come back over here***

DIAZ: You guys fucking touched my brother for no reason.

UNK SUBJECT: Why you arresting him and not him?

DIAZ: I'll tell you that shit right now. Hey dude hey, hey, ***

UNKNOWN: ***(talking over each other)

UNK SUBJECT: Why you arresting him? Nobody's fucking anything.

DIAZ: Uber is going to pick us right here.

█: Tell him go over there.

DIAZ: No. He said right here. And I'm going stay right here.

UNK SUBJECT: All we need is our friend, he didn't do anything.

DIAZ: No Uber going to come and pick us up. ***

UNKNOWN: If anything *** why you arresting him?

UNKNOWN: ***

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DIAZ: No Uber said right here *** and I'm not going to move. I'm not going to move.

UNK SUBJECT: I'm trying to be reasonable *** (talking over each other)

█: I'm giving you a lawful order to leave now.

UNK SUBJECT: He's not trying to be reasonable and neither is he.

█: Okay. It's on camera.

UNKNOWN: *** he was *** (talking over each other)

UNKNOWN: ***

DIAZ: I, I will go to jail ***

UNK OFFICER: Hey, hey *** (talking over each other)

UNKNOWN: (radio noise)

DIAZ: *** I'm not even moving bro. Hey Uber, Uber, guy just record it.

(DIAZ PLACED IN HANDCUFFS).

UNK SUBJECT: You'll be out in six hours, bro.

UNK SUBJECT: Come on ABEL.

UNK OFFICER: *** just down the street. This is Commonwealth.

UNK SUBJECT: Alright.

UNK OFFICER: You go that way. About 6 hours he'll get out when he sobers up.

UNK SUBJECT: Alrighty.

UNK OFFICER: Alright.

Investigator: D. MELNYK #250

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Approved By:

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TRANSCRIBED BY:

Stephanie Blay
Orange County District Attorney's Office

REVISED BY:

Dave Melnyk / DA Investigator
(NAME / TITLE)

Orange County District Attorney's Office / 08-09-2016
(DEPARTMENT / DATE)

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